

## **REMARKS**

### **Double Patenting**

Claims 1-15 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of copending application no. 10/467,912. Submitted herewith is a Terminal Disclaimer which overcomes this obviousness-type double patenting rejection.

### **Claim Rejections - 35 USC §112**

Claims 1-15 stand rejected under 35 USC §112, second paragraph. Applicants provide the following remarks. The Action suggested that it is unclear how a magnetic field strength can be stored. Applicants respectfully submit that storage of differing magnetic field strengths is routine. In this regard, for example, the present specification relies on different magnetic field strengths being stored in, for example, ferromagnetic materials, but different magnetic field strengths can also be stored in diamagnetic materials, as well as paramagnetic materials.

Page 33 of the specification refers to Figure 4 which shows a typical hysteresis curve or hysteresis loop for a typical ferromagnetic material that can be used in accordance with the present invention. In this regard, as discussed in the specification, as a field “H” is applied to a material initially not showing magnetization (e.g., a virgin ferromagnetic material) the magnetization of domains begins at point “D” and increases along the curve “M” up to the point of saturation ( $M_s$ ). This type of magnetic hysteresis is well known in ferromagnetic materials. In this regard, when an external magnetic field is applied to a ferromagnetic material, magnetic (e.g., atomic) dipoles align themselves with the external field. Accordingly, the strength of an applied magnetic field results in different magnetic field strengths being stored in, for example, ferromagnetic materials.

The storage of magnetic field strength is discussed at numerous points in the specification including, for example, page 24, line 22 – page 25, line 9; page 26, line 18 – page 28, line 13; page 29, lines 21-22; page 32, line 11 – page 33, line 14; as well as numerous other occurrences.

Should the Examiner require any further clarification of this well known materials effect, the Examiner is invited to telephone Applicants’ undersigned representative.

### **Allowable Subject Matter**

Applicants appreciate the indication of allowable subject matter for claims 1-15, should the §112 rejection be overcome. Applicants respectfully submit that the above comments overcome the

§112 rejection. Accordingly, Applicants respectfully request a Notice of Allowance directed to pending claims 1-15.

The prior art made of record is noted.

Should the Examiner have any questions regarding this communication, the Examiner is invited to telephone Applicants' undersigned representative.

Respectfully submitted,

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